# **EXHIBIT H**

REID | COLLINS | TSAI ...

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Alkot, Ltd 100 Market Place Manhattan, IL 60442 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Alkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$186,969.61. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$116,873.70 and no cash on deposit. Thus, the Trustee demands payment of \$116,873.70 for the A/R balance.

Alkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$35,994.55 of these rebate payments as follows: \$20,897.13 on August 15, 2016; \$15,097.42 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$35,994.55 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$17,721.36 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$17,721.36 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$16,380.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$16,380.00 related to this payment.

Please remit payment in the full amount of \$186,969.61. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Alkot, Ltd." If paying by wire, please use the following wire information:

Alkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

	the contract of
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:</li> <li>Article Addressed to:</li> </ul>	A. Signature    Agent
Manhattan L. Coole 9590 9402 3792 8032 7832 22	3. Service Type  Adult Signature  Adult Signature Restricted Delivery  Certified Mail®  Priority Mail Express®  Registered Mail™  Registered Mail Restricted  Polivery
2. Article Number (Transfer from service label) 7018 0360 0000 7347 716	☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery Restricted Delivery ☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation™
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

REID | COLLINS | TSAI ...

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Aromakot, Ltd 200 S. Bridge Street Aroma Park, IL 60481 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Aromakot, Ltd (the "<u>Member</u>"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of **\$89,256.34**. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$53,845.22 and no cash on deposit. Thus, the Trustee demands payment of \$53,845.22 for the A/R balance.

Aromakot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$21,510.56 of these rebate payments as follows: \$11,416.27 on August 15, 2016; \$10,094.29 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$21,510.56 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$5,710.56 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$5,710.56 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$8,190.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$8,190.00 related to this payment.

Please remit payment in the full amount of \$89,256.34. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Aromakot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 8 of 61

Aromakot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely

4.4	13.4
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:</li> <li>Article Addressed</li></ul>	A. Signature  X Jolu Lulu   Magent   Addressee  B. Received by (Printed Name)   C. Date of Delivery   3 / 23 / / 9  D. Is delivery address different from item 1?   A yes   Yes   Yes, enter delivery address below:   No  P.OB ox 50  Aroma Park J
9590 9402 3792 8032 7831 92	3. Service Type  □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail® □ Collect on Delivery □ Collect on Delivery □ Collect on Delivery Restricted Delivery □ Signature Confirmation™
7070 0710	7218 ted Delivery Restricted Delivery Signature Confirmation Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

# REID | COLLINS | TSAI ...

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Berkot's, Ltd 20005 S. Wolf Road Mokena, IL 60448 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Berkot's, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of **\$216,874.03**. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$124,434.10 and no cash on deposit. Thus, the Trustee demands payment of \$124,434.10 for the A/R balance.

Berkot's, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$48,054.92 of these rebate payments as follows: \$26,888.19 on August 15, 2016; \$21,166.73 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$48,054.92 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$21,609.01 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$21,609.01 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$22,776.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$22,776.00 related to this payment.

Please remit payment in the full amount of \$216,874.03. to the Trustee no later than April 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Berkot's, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 12 of 61

Berkot's, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Berkets Hamman Addressed to:</li> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so the reverse so the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Complete items 1, 2, and 3.</li> <li>Complete items 3, and 3.<!--</th--><th>A. Signature  X MM  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1?  Yes  If YES, enter delivery address below:  No</th></li></ul>	A. Signature  X MM  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1?  Yes  If YES, enter delivery address below:  No
	3. Service Type  ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail Restricted Delivery ☐ Collect on Delivery ☐ Collect on Delivery
7018 0360 0000 7347 712	☐ Collect on Delivery Restricted Delivery ☐ Signature Confirmation™ ☐ Signature Confirmation™
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

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Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Braidkot, Ltd 180 N. Front Street Braidwood, IL 60408 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Braidkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$129,300.20. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$94,933.84 and no cash on deposit. Thus, the Trustee demands payment of \$94,933.84 for the A/R balance.

Braidkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$14,992.50 of these rebate payments as follows: \$6,941.26 on August 15, 2016; \$8,051.24 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$14,992.50 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$10,169.86 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$10,169.86 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$9,204.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$9,204.00 related to this payment.

Please remit payment in the full amount of \$129,300.20. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Braidkot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 16 of 61

Braidkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

## **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely



www.rctlegal.com

# REID | COLLINS | TSAI LIP

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Coalkot, Ltd 100 S. Broadway Coal City, IL 60416 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Coalkot, Ltd (the "<u>Member</u>"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of **\$314,597.58**. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$192,737.84 and no cash on deposit. Thus, the Trustee demands payment of \$192,737.84 for the A/R balance.

Coalkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$64,467.58 of these rebate payments as follows: \$38,773.34 on August 15, 2016; \$25,694.24 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$64,467.58 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$29,780.16 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$29,780.16 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$27,612.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$27,612.00 related to this payment.

Please remit payment in the full amount of \$314,597.58. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Coalkot, Ltd." If paying by wire, please use the following wire information:

Coalkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>Coal Cot</li> <li>S. Broadway</li> <li>Coal City</li> <li>Loo S. Broadway</li> <li>Coal City</li> <li>Loo Ylk</li> </ul>	A. Signature  X  Agent  Addressee  B. Received by (Printed Name)  D. Is delivery address different from item 1?  If YES, enter delivery address below:
9590 9402 3792 8032 7829 59  2016 0360 0000 7347 7098	3. Service Type  □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ Insured Mail
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Recei

REID | COLLINS | TSAI LLP

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Dikot, Ltd 317 W. Waupansie Street Dwight, IL 60420 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Momkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$157,158.18. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$109,837.36 and no cash on deposit. Thus, the Trustee demands payment of \$109,837.36 for the A/R balance.

Momkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$24,944.69 of these rebate payments as follows: \$14,523.31 on August 15, 2016; \$10,421.38 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$24,994.69 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$11,066.13 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$11,066.13 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$11,310.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$11,310.00 related to this payment.

Please remit payment in the full amount of \$157,158.18. to the Trustee no later than April 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Momkot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 24 of 61

Momkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

## **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100 Chicago, IL 60654 C/O Howard B. Samuels, Chapter 7 Trustee Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely

Leo Boppenheimer

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  Dillot (td)  317 W. Waw Pansia  Dwight IL. (adda)	A. Signature  X
2. Article Number (Transfer from service label) 7018 0360 0000 7347 718	3. Service Type  ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Collect on Delivery ☐ Collect on Delivery ☐ Collect on Delivery ☐ Ill ☐ all Restricted Delivery ☐ Signature Confirmation ☐ Restricted Delivery ☐ Registered Mail Express® ☐ Registered Mail Fastricted Delivery ☐ Registered Mail Fastricted Deliv
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

www.rctlegal.com

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

# REID | COLLINS | TSAI ....

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Lockot, Ltd 500 Summit Plaza Lockport, IL 60441 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Lockot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$178,869.79. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$111,203.04 and no cash on deposit. Thus, the Trustee demands payment of \$111,203.04 for the A/R balance.

Lockot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$35,904.68 of these rebate payments as follows: \$20,701.71 on August 15, 2016; \$15,202.97 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$35,904.68 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$15,460.07 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$15,460.07 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$16,302.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$16,302.00 related to this payment.

Please remit payment in the full amount of \$178,869.79. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Lockot, Ltd." If paying by wire, please use the following wire information:

Lockot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

## **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100 Chicago, IL 60654 C/O Howard B. Samuels, Chapter 7 Trustee Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>Article Addressed to:         <ul> <li>Article Addressed to:</li> <li>SOO SUMM'+ Plaza</li> <li>Coll, Port IL, Lad-III.</li> </ul> </li> </ul>	B. Beceived by (Printed Name)  D. Is delivery address different from item 1?  Pes  If YES, enter delivery address below:
9590 9402 3792 8032 7829 42	3. Service Type  □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail Restricted Delivery □ Collect on Delivery □ Collect on Delivery □ Collect on Delivery Restricted Delivery □ Collect on Delivery Restricted Delivery □ Signature Confirmation □ Signature Confirmation
<sup>2. Art</sup> 7018 0360 0000 7347	7102 ricted Delivery Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

www.rctlegal.com

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

# REID | COLLINS | TSAI ...

March 13, 2019

## Via Certified Mail and Electronic Mail to Counsel

Midkot, Ltd 4640 W. 147<sup>th</sup> Street Midlothian, IL 60445 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Midkot, Ltd (the "<u>Member</u>"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of **\$201,601.23**. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$128,006.90 and no cash on deposit. Thus, the Trustee demands payment of \$128,006.90 for the A/R balance.

Midkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$37,543.71 of these rebate payments as follows: \$21,834.13 on August 15, 2016; \$15,709.58 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$37,543.71 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$18,428.62 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$18,428.62 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$17,082.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$17,082.00 related to this payment.

Please remit payment in the full amount of \$201,061.23. to the Trustee no later than April 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Midkot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 32 of 61

Midkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100 Chicago, IL 60654 C/O Howard B. Samuels, Chapter 7 Trustee Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3.  ■ Print your name and address on the reverse so that we can return the card to you.  ■ Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:	A. Signature  X Magnet
9590 9402 3792 8032 7829 66 7018 0360 0000 7347 708	3. Service Type  Adult Signature  Adult Signature Restricted Delivery  Certified Mail Restricted Delivery  Collect on Delivery Restricted Delivery  Collect on Delivery Restricted Delivery  Registered Mail Restricted Delivery  Return Receipt for Merchandise  Signature Confirmation Mestricted Delivery  Restricted Delivery  Restricted Delivery
PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

REID | COLLINS | TSAI LIP

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Momkot, Ltd 159 Sterling Place Momence, IL 60954 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Momkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of **\$149,186.61**. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$93,659.33 and no cash on deposit. Thus, the Trustee demands payment of \$93,659.33 for the A/R balance.

**Avoidable Rebate Payments:** Pursuant to the U.S. Bankruptcy Code, a bankruptcy trustee may avoid a transfer from an insolvent entity made for less than reasonably equivalent value as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). On September 15, 2016, CGI's Board of Directors authorized the payment of a rebate to

Momkot, Ltd March 13, 2019 Page - 2

CGI's members for fiscal 2016. CGI was undoubtedly insolvent at that time. CGI, moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$29,126.03 of these rebate payments as follows: \$17,183.00 on August 15, 2016; \$11,943.03 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$29,126.03 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$13,453.25 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$13,453.25 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$12,948.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$12,948.00 related to this payment.

Please remit payment in the full amount of **\$149,186.61**. to the Trustee no later than **April 3, 2019**. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Momkot, Ltd." If paying by wire, please use the following wire information:

Beneficiary Bank Information
United Bank

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 36 of 61

Momkot, Ltd March 13, 2019 Page - 3

> 45 Glastonbury Boulevard Glastonbury, CT 06033 ABA: 211170318

## **Beneficiary Information**

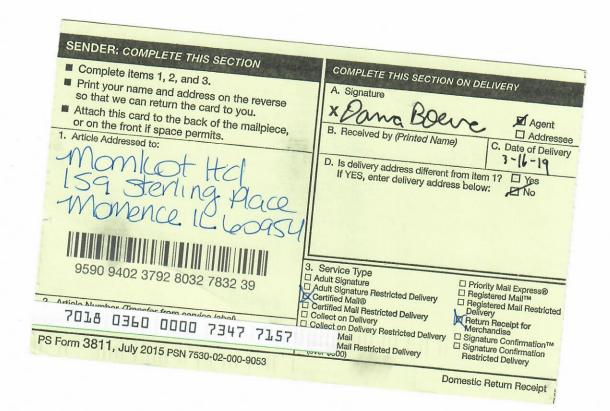
Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100 Chicago, IL 60654 C/O Howard B. Samuels, Chapter 7 Trustee Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

Leo Boppenheimer



# REID | COLLINS | TSAI ...

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Newkot, Ltd 2141 Calistoga Drive New Lenox, IL 60451 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Newkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of **\$206,292.14**. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$125,141.18 and no cash on deposit. Thus, the Trustee demands payment of \$125,141.18 for the A/R balance.

Newkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$44,125.09 of these rebate payments as follows: \$25,135.66 on August 15, 2016; \$18,989.43 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$44,125.09 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$16,667.87 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$16,667.87 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$20,358.00 payment to Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$20,358.00 related to this payment.

Please remit payment in the full amount of \$206,292.14. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Newkot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 40 of 61

Newkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

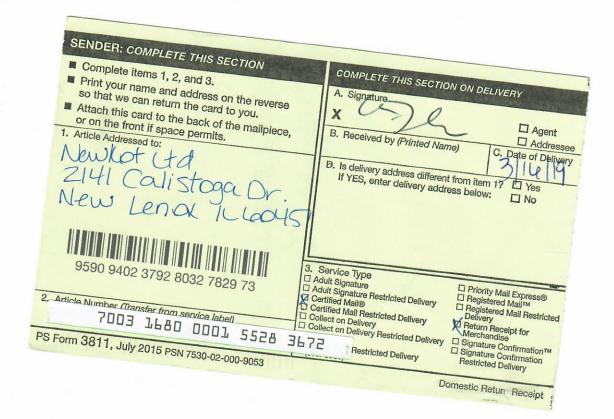
#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely



www.rctlegal.com

Leo B. Oppenheimer | Associate
Direct: 214.420.8904
loppenheimer@rctlegal.com

## REID | COLLINS | TSAI ...

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Orkot, Ltd 11333 W. 159<sup>th</sup> Street Orlando Park, IL 60467 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Orkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$156,051.33. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$91,272.40 and no cash on deposit. Thus, the Trustee demands payment of \$91,272.40 for the A/R balance.

Orkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$37,203.54 of these rebate payments as follows: \$21,591.95 on August 15, 2016; \$15,611.59 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$37,203.54 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$14,549.39 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$14,549.39 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$13,026.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$13,026.00 related to this payment.

Please remit payment in the full amount of \$156,051.33. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Orkot, Ltd." If paying by wire, please use the following wire information:

Orkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

THE SECTION	COMPLETE THIS SECTION ON DELIVERY
SENDER: COMPLETE THIS SECTION	A. Signature D Agent
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>1. Sqth St.</li> </ul>	B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1?  If YES, enter delivery address below:
Or oco ready	□ Priority Mail Express®
9590 9402 3792 8032 7832 53	3. Service 1/90  ☐ Adult Signature ☐ Adult Signature Restricted Delivery ☐ Certified Mail® ☐ Certified Mail® ☐ Certified Mail® ☐ Collect on Delivery ☐ Delivery ☐ Delivery ☐ Signature Confirmation ☐ Signature Confirmation
2. Article Number (Transfer from continue 7 147 713	Mall Restricted Delivery
7018 0360 0000 7347 733	(over \$500) Domestic Return Receipt
PS Form 3811, July 2015 PSN 7530-02-000-9053	week

www.rctlegal.com

REID | COLLINS | TSAI LLP

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Peokot, Ltd 312 S Harlem Peotone, IL 60468 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Peokot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$136,827.91. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$82,697.74 and no cash on deposit. Thus, the Trustee demands payment of \$82,697.74 for the A/R balance.

Peokot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$28,006.98 of these rebate payments as follows: \$16,232.17 on August 15, 2016; \$11,774.81 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$28,006.98 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$13,253.19 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$13,253.19 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$12,870.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$12,870.00 related to this payment.

Please remit payment in the full amount of \$136,827.91. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Peokot, Ltd." If paying by wire, please use the following wire information:

Peokot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely

His I	
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:         <ul> <li>S. Harle</li> <li>Hearle</li> </ul> </li> </ul>	A. Signature  X
9590 9402 3792 8032 7829 35  2. Article Number (Transfer from service label)  2018 0360 0000 7347 711	3. Service Type  □ Adult Signature □ Adult Signature Restricted Delivery □ Certified Mail® □ Certified Mail® □ Certified Mail® □ Certified Mail Restricted Delivery □ Collect on Delivery □ Delivery Restricted Delivery □ ail □ Restricted Delivery □ Signature Confirmation □ Signature Confirmation □ Restricted Delivery □ (over \$500)
7018 0360 0000 7530-02-000-9053	Domestic Return Receipt

www.rctlegal.com

REID | COLLINS | TSAI LLP

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Watsekot, Ltd 1152 E. Walnut Street Watseka, IL 60970 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Watsekot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$127,829.97. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$73,879.04 and no cash on deposit. Thus, the Trustee demands payment of \$73,879.04 for the A/R balance.

Watsekot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$29,288.80 of these rebate payments as follows: \$16,025.01 on August 15, 2016; \$13,263.79 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$29,288.80 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$10,622.13 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$10,622.13 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$14,040.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$14,040.00 related to this payment.

Please remit payment in the full amount of \$127,829.97. to the Trustee no later than **April 3, 2019**. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Watsekot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 52 of 61

Watsekot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

#### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits.  1. Article Addressed to:  Wath Land Land Land Land Land Land Land Land	A. Signature  Agent  Addressee  B. Received by (Printed Name)  C. Date of Delivery  D. Is delivery address different from item 1?  Yes  If YES, enter delivery address below:
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PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

REID | COLLINS | TSAI LP

Leo B. Oppenheimer | Associate Direct: 214.420.8904 loppenheimer@rctlegal.com

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Westkot, Ltd 451 N. Locust Manteno, IL 60950 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Momkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$194,988.32. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$119,648.13 and no cash on deposit. Thus, the Trustee demands payment of \$119,648.13 for the A/R balance.

Momkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$40,338.58 of these rebate payments as follows: \$23,523.48 on August 15, 2016; \$16,815.10 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$40,338.58 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$16,827.61 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$16,827.61 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$18,174.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$18,174.00 related to this payment.

Please remit payment in the full amount of \$194,988.32. to the Trustee no later than April 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Momkot, Ltd." If paying by wire, please use the following wire information:

Case 19-01013 Doc 1-9 Filed 11/19/19 Entered 11/19/19 11:01:53 Desc Exhibit H Page 56 of 61

Momkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely

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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> <li>1. Article Addressed to:</li> <li>USH (Addressed to: USH (Addressed to:</li></ul>	A. Signature  X
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PS Form 3811, July 2015 PSN 7530-02-000-9053	Domestic Return Receipt

Fax: 214.420.8909 www.rctlegal.com

Leo B. Oppenheimer | Associate Direct: 214.420.8904

loppenheimer@rctlegal.com

# REID | COLLINS | TSAI LIP

March 13, 2019

#### Via Certified Mail and Electronic Mail to Counsel

Wilkot, Ltd 700 W. Baltimore Wilmington, IL 60481 Attn: John Kotara

Re: In re Central Grocers, Inc., et al., Case No. 17-13886 (Bankr. N.D. Ill.)

Dear Mr. Kotara:

This law firm is special litigation counsel to Howard B. Samuels (the "<u>Trustee</u>"), not individually but solely in his capacity as the chapter 7 trustee for the bankruptcy estates of Central Grocers, Inc. ("<u>CGI</u>"), Strack & Van Til Super Market, Inc., and SVT, LLC in the above-referenced matter. The Trustee has the statutory power to pursue CGI's legal rights for the benefit of its bankruptcy estate and creditors. The Trustee is collecting all monies owed to CGI by its former members.

CGI's records indicate that Wilkot, Ltd (the "Member"), was a member of the CGI cooperative. By this letter, the Trustee demands payment in the amount of \$167,965.49. This amount is made up of the components described below.

**Unpaid Accounts Receivable:** CGI's records state that the Member has outstanding unpaid accounts receivable ("A/R") for goods purchased from CGI in the amount of \$103,440.29 and no cash on deposit. Thus, the Trustee demands payment of \$103,440.29 for the A/R balance.

Wilkot, Ltd March 13, 2019 Page - 2

moreover, received little to no value for this declaration of a rebate or the payment of rebates.

CGI's records indicate that the Member received \$35,550.35 of these rebate payments as follows: \$21,742.80 on August 15, 2016; \$13,807.55 on October 27, 2016. These rebate payments are avoidable and recoverable by the Trustee under 11 U.S.C. §\$ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$35,550.35 related to these rebate payments.

**Avoidable Allowance Payments:** On October 27, 2016, CGI paid the Member \$14,232.85 related to allowances. CGI was insolvent at that time and received no value in exchange for the allowance payment. Just like the rebate payments, a bankruptcy trustee may avoid the allowance payment as a constructively fraudulent transfer. *See, e.g.,* 11 U.S.C. § 548(a)(1)(B). Accordingly, the Trustee demands payment of \$14,232.85 related to this payment.

**Avoidable Class B Redemption:** Certain members converted a portion of their 2016 rebate into Class B shares and then immediately requested CGI redeem those shares. On November 17, 2016, CGI issued redemption checks to requesting members. These payments are also constructively fraudulent transfers as CGI was insolvent at this time and received little to no value for these payments.

CGI's records indicate that CGI made a \$14,742.00 payment to the Member for redemption of Class B shares. This payment is avoidable and recoverable by the Trustee under 11 U.S.C. §§ 548(a)(1)(B) and 550(a). Thus, the Trustee demands payment of \$14,742.00 related to this payment.

Please remit payment in the full amount of \$167,965.49. to the Trustee no later than **April** 3, 2019. If paying by check, make it payable to "Howard Samuels, Trustee in Bankruptcy of Central Grocers, Inc." and mail it to:

Mr. Howard B. Samuels Rally Capital Services LLC 350 North LaSalle Street, Suite 1100 Chicago, IL 60654

Please note on the check "Wilkot, Ltd." If paying by wire, please use the following wire information:

Wilkot, Ltd March 13, 2019 Page - 3

> Glastonbury, CT 06033 ABA: 211170318

### **Beneficiary Information**

Central Grocers Member Action/Notes AR - RCT 350 N. LaSalle Street, Suite 1100
Chicago, IL 60654
C/O Howard B. Samuels, Chapter 7 Trustee
Account No. 710000005863

Failure to timely remit payment may result in the Trustee immediately commencing legal claims against the Member and any other responsible parties before the U.S. Bankruptcy Court for the Northern District of Illinois. Please note that if the Trustee pursues legal action to recover the amounts the Member owes, the Trustee will also seek to recover interest, costs, and/or attorney's fees, as permitted under applicable law, article XV of CGI's Amended and Restated By-Laws (effective November 2012), and section 13.a of CGI's Rules and Regulations (effective March 2013).

Thank you for your attention to this matter.

Sincerely,

Leo Boppenheimer

	- ASSA
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
■ Complete items 1, 2, and 3.  ■ Print your name and address on the reverse so that we can return the card to you.  ■ Attach this card to the back of the mailpiece, or on the front if space permits. cle Addressed to:  Differential State of the mailpiece, or on the front if space permits.  John Balton Bal	
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